

## RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
MOUNTAIN'S EDGE METROPOLITAN DISTRICT (THE "DISTRICT")  
HELD  
NOVEMBER 16, 2022

A special meeting of the Board of Directors of the Mountain's Edge Metropolitan District (referred to hereafter as the "Board") was convened on November 16, 2022, at 4:00 p.m. via Microsoft Teams. The meeting was open to the public via video and telephone conference.

### ATTENDANCE

#### **Directors In Attendance Were:**

Justin Phillips, President  
Laura Murawski, Secretary  
George Turtle, Treasurer

#### **Also In Attendance Were:**

Celeste Terrell, Michael Jensen and Lindsay Ross; CliftonLarsonAllen LLP  
Emily Murphy, Esq.; McGeady Becher P.C.  
Hannah Rempe; Homeowner

### ADMINISTRATIVE MATTERS

**Disclosures of Potential Conflicts of Interest:** Attorney Murphy discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest regarding any matters scheduled for discussion at this meeting. Attorney Murphy noted that the Board consists of homeowners and there were no disclosures of potential conflicts of interest filed with the Secretary of State, and no additional conflicts were disclosed at the meeting.

**Quorum, Location of Meeting, Posting of Meeting Notice, and Agenda:** A quorum was confirmed.

The Board discussed the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. The Board determined to conduct the meeting at the above-stated date and time via video and teleconference (Microsoft Teams). It was further noted that notice of the time, date, and location of the meeting was duly posted, and the District had not received any objections to the location of the meeting or any requests that the meeting be changed by taxpaying electors within the District's boundaries.

The agenda was presented for review. Following discussion, upon a motion duly made by Director Turtle, seconded by Director Murawski and, upon vote, unanimously carried the Board approved the agenda, as amended, and excused the absence of Director Watkins.

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**Board Vacancy:** The Board discussed the vacancy on the Board. It was noted there are no interested parties at this time.

**Public Comment:** Hannah Rempe, homeowner, noted she joined the meeting to discuss the drainage issues.

**Minutes from the August 11, 2022 Regular Board Meeting:** The Board reviewed the Minutes of the August 11, 2022 Regular Meeting. Following review and discussion, upon a motion duly made by Director Phillips, seconded by Director Murawski and, upon vote, unanimously carried, the Board approved the August 11, 2022 Regular Meeting Minutes.

**Service Agreement with Keesen Landscape Management, Inc. for 2022-2023 Snow Removal Services:** Following review, upon a motion duly made by Director Turtle, seconded by Director Phillips and, upon vote, unanimously carried, the Board ratified approval of the Service Agreement with Keesen Landscape Management, Inc. for 2022-2023 Snow Removal Services.

**Resolution Establishing Regular Meeting Dates, Time and Location and Designating Location for Posting of 24-Hour Notices:** The Board discussed the business to be conducted in 2023. Following discussion, the Board determined to hold regular meetings in 2023 on the second Thursday of February, May, August, and November at 6:00 p.m. via video teleconference.

Following discussion, upon a motion duly made by Director Phillips, seconded by Director Turtle and, upon vote, unanimously carried, the Board adopted the Resolution Establishing Regular Meeting Dates, Time and Location and Designating Location for Posting of 24-Hour Notices.

**Section 32-1-809, C.R.S. Requirements (Transparency Notice):** Attorney Murphy discussed the special district transparency requirements of Section 32-1-809, C.R.S. with the Board. Following discussion, the Board directed the District Manager to post the special district transparency notice on the Special District Association website and the District's website.

**Annual Map Filing:** Attorney Murphy discussed the annual map filing requirements with the Board. It was noted that the District Manager will coordinate the annual map filing in accordance with the statute.

**District Insurance and Special District Association Membership:** The Board discussed renewal of the District's insurance, noting a clerical error in the property schedule. Following discussion, upon a motion duly made by Director Phillips, seconded by Director Murawski and, upon vote, unanimously carried, the Board approved the 2023 District insurance renewal, as revised to correct the clerical error, and authorized renewal of the Special District Association membership for 2023.

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### FINANCIAL MATTERS

**Unaudited Financial Statements and Cash Position Statement for the Period Ending September 30, 2022:** Ms. Ross reviewed the Unaudited Financial Statements and Cash Position Statement for the period ending September 30, 2022 with the Board. Following discussion, upon a motion duly made by Director Turtle, seconded by Director Murawski and, upon vote, unanimously carried, the Board accepted the Unaudited Financial Statements and Cash Position Statement for the period ending September 30, 2022.

**Payment of Claims:** Ms. Ross reviewed the payment of claims with the Board. Following discussion, upon motion duly made by Director Phillips, seconded by Director Murawski and, upon vote, unanimously carried, the Board ratified approval of previous claims and approved current claims in the amount of \$59,366.90.

**Amendment to 2022 Budget:** Director Phillips opened the public hearing to consider amendment of the 2022 Budget.

It was noted that publication of Notice stating that the Board would consider amendment of the 2022 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed.

Following discussion, upon a motion duly made by Director Phillips, seconded by Director Turtle and, upon vote, unanimously carried, the Board adopted the Resolution to Amend the 2022 Budget.

**2023 Budget:** Director Phillips opened the public hearing on the proposed 2023 Budget.

It was noted that publication of Notice stating that the Board would consider adopting the proposed 2023 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed.

Ms. Ross reviewed the proposed 2023 Budget with the Board. Following discussion, the Board considered adoption of the Resolution to Adopt the 2023 Budget and Appropriate Sums of Money and the Resolution to Set Mill Levies (43.721 mills in the General Fund and 49.507 mills in the Debt Service Fund, for a total mill levy of 93.228 mills). Upon a motion duly made by Director Phillips, seconded by Director Turtle and, upon vote, unanimously carried, the Board adopted the Resolutions and authorized execution of the Certification of Budget. The Board directed the District Accountant to transmit the Certification

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of Tax Levies to the Board of County Commissioners of Jefferson County not later than December 15, 2022, and further directed the District Manager to transmit the Certification of Budget to the Division of Local Government not later than January 31, 2023.

**DLG-70 Certification of Tax Levies Form:** Ms. Ross reviewed the Certification filing process with the Board. Following discussion, upon a motion duly made by Director Phillips, seconded by Director Murawski and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare the Certification, appointed Director Turtle to sign the Certification, and directed the District Accountant to file the Certification with the Board of County Commissioners of Jefferson County, and other interested parties.

**Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan:** Attorney Murphy indicated to the Board that an adjustment of the District mill levy was not necessary. No action was taken.

**Preparation of 2024 Budget:** Following discussion, upon a motion duly made by Director Turtle, seconded by Director Phillips and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2024 Budget.

**Preparation of 2022 Audit:** The Board discussed the statutory requirements for an audit. Following discussion, upon a motion duly made by Director Phillips, seconded by Director Turtle and, upon vote, unanimously carried, the Board approved the engagement of Dazzio & Associates, P.C. to prepare the 2022 Audit.

**2023 Fee Schedule:** Following discussion, upon a motion duly made by Director Phillips, seconded by Director Murawski and, upon vote, unanimously carried, the Board approved the 2023 Fee Schedule.

### LEGAL MATTERS

**Resolution Calling May 2, 2023 Regular Director Election:** Attorney Murphy discussed the May 2, 2023 Regular Director Election with the Board. Following discussion, upon a motion duly made Director Murawski, seconded by Director Phillips and, upon vote, unanimously carried, the Board adopted the Resolution Calling a Regular Election for Directors on May 2, 2023, appointed Lisa Jacoby as the Designated Election Official (the “**DEO**”) and authorized the DEO to perform all tasks required for the conduct of a mail ballot election.

### MANAGER MATTERS / OPERATIONS AND MAINTENANCE

**Mailbox Solar Lighting:** The Board discussed the status of the solar lighting. Director Phillips will contact a contractor regarding the installation of posts in the ground near the mailboxes for the solar lights. Ms. Terrell reported she will also reach out to the fencing contractor regarding this item. No further action was taken.

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**Drainage Issue behind 11982 and 11992 W. Quarles Ave.:** The Committee and Ms. Terrell provided an update for the Board regarding the drainage issue. The Board discussed the status of the engagement of an engineer to assess the drainage issue, determine the cause of the drainage issue, and propose potential solutions to remedy the drainage issue based on the findings.

Ms. Terrell reported she reached out to one engineering firm for a proposal and will continue to reach out to additional engineering firms. Director Phillips reported he will also obtain proposals. Director Phillips and Ms. Terrell will make sure the engineers are aware of prairie dogs disrupting landscaping.

**CliftonLarsonAllen LLP Statements of Work for 2023:** Ms. Terrell reviewed the CliftonLarsonAllen LLP Statements of Work with the Board and noted the Payroll Services Statement of Work needs to be removed. Following review, upon a motion duly made by Director Turtle, seconded by Director Phillips and, upon vote, unanimously carried, the Board approved the CliftonLarsonAllen LLP Statements of Work for 2023, as revised to remove the Payroll Services Statement of Work.

**Amended and Restated Design Landscape Guidelines:** The Design Guideline Committee provided an update to the Board regarding the status of the Amended and Restated Design Guidelines. No action was taken.

**Engagement of Moeller Graf, P.C. to Assist with the Amended and Restated Design Guidelines:** Ms. Terrell provided an update for the Board, noting that Moeller Graf, P.C. provided a proposal for the review of the Amended and Restated Design Guidelines. Directors Murawski and Watkins confirmed they would review the proposal. No action was taken.

**Proposal for 2023 Landscape Maintenance Services from Keesen Landscape Management, Inc.:** The Board discussed the Proposal for 2023 Landscape Maintenance Services from Keesen Landscape Management, Inc. Following review and discussion, upon a motion duly made by Director Turtle, seconded by Director Phillips and, upon vote, unanimously carried, the Board approved Task Order No. 4 to the Master Service Agreement for Landscaping Services with Keesen Landscape Management, Inc. for 2023 General Landscaping Maintenance.

### COVENANT ENFORCEMENT

**Covenant Enforcement and Inspection Update:** Ms. Terrell provided an update to the Board regarding covenant enforcement and inspections, noting that violation notices have been sent for yard maintenance and an unapproved structure in a backyard.

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### OTHER BUSINESS

Attorney Murphy provided an update to the Board that the hourly rate for McGeady Becher P.C.'s legal services is increasing in 2023. She reported she expects costs to stay within the 2023 Budget.

### ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Phillips, seconded by Director Murawski and, upon vote, unanimously carried, the meeting was adjourned at 5:39 p.m.

Respectfully submitted,

By  Secretary for the Meeting  
DocuSigned by:  
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